

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

**NEW MEXICO ELECTRICIANS
RETIREMENT BENEFIT PLAN,
MARIA GRANONE,
and CARL CONDIT,**

Plaintiffs,

v.

No. 14-cv-0796 KK/SMV

**COLLEEN SCHULTE,
CANDICE SCHULTE,
HUGO D. SCHULTE,
and GABRIEL E. SCHULTE,**

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. Plaintiffs filed their Complaint in Interpleader against Defendants on September 3, 2014. [Doc. 1] at 1. Plaintiffs have failed to take any steps to prosecute their claims against Defendant Colleen Schulte in 114 days, or since serving her with process on September 24, 2014. *See* [Doc. 5] (Plaintiffs' returns of service). Accordingly, Plaintiffs must show good cause within 30 days why their claims against Defendant Colleen Schulte should not be dismissed without prejudice pursuant to D.N.M.LR-Civ. 41.1 (allowing for dismissal where the plaintiff takes no steps to move its case forward for 90 days).

IT IS THEREFORE ORDERED that Plaintiff show cause no later than **Thursday, February 19, 2015**, why their claims against Defendant Colleen Schulte should not be dismissed without prejudice for failure to prosecute under D.N.M.LR-Civ. 41.1.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge